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September 10, 2010

VIA ELECTRONIC FILING

Honorable Marilyn D. Go
United States Magistrate Judge
United States District Court
225 Cadman Plaza East, Room 1214S
Brooklyn, New York 11201

Re: *Weiss, et al. v. National Westminster Bank, Plc*, 05-CV-4622 (DGT)(MDG)
Applebaum, et al. v. National Westminster Bank, Plc, 07-CV-916 (DGT)(MDG)

Dear Magistrate Judge Go:

On behalf of all parties, I write to update the Court on the status of our completion of discovery in the above-referenced matters, and to request a brief adjournment of expert discovery. In accordance with the current scheduling order, the parties met the August 20 deadline for the completion of fact discovery. That deadline excluded discovery conducted pursuant to the Hague Convention, and subject to the UK court's anticipated approval, the parties have scheduled one final round of depositions of former NatWest employees for the week of October 4. In addition, subject to an agreement reached by the parties in May, NatWest and an outside vendor have worked to restore the backup email tapes of four former employees, all of whom are scheduled to be deposed in the final round. The restoration process has been slowed by several vendor-related glitches, however most of the emails are restored and being reviewed by defense counsel, and NatWest expects to produce all responsive, non-privileged emails by the end of next week for all but one electronic folder.

As a result of the above, to account for the final Hague depositions and unexpected delay in email restorations, the parties are requesting that the currently-scheduled September 13 deadline for parties to provide initial expert reports be extended by approximately two months to November 19. The proposed Revised Scheduling Order attached to this letter also adjusts the additional remaining discovery dates accordingly, with all discovery now to be completed by May 13, 2011. We thank you for your consideration.

Respectfully submitted,



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cc: All Counsel of Record